

education, we will see that the public school system started because the people wanted their children to be familiar with the Bible. Then as soon as vast numbers of immigrants began to arrive, there came quickly the feeling that this was wrong to use the public school system as a means of evangelism.

The Roman Catholics objected because the public school would use the King James version, and the King James Bible does not contain the apocrypha.

The Jewish people objected because the New Testament was read, something with which they did not agree. The Supreme Court has therefore in the past years proved so consistently opposed to private and parochial schools that the Supreme Court felt this was the strongest language we could use.

I oppose the amendment because I believe what we have here will best serve to strengthen the public school system. I am in favor of the public school system and so was the Committee, and this wording of theirs reflects that concern.

The Committee and I were concerned and this language reflects our concern, that if we were to undermine the basic establishment of church-state separation, this would seriously threaten the public school system and just reverse the present good relationships that are existing between all religious groups in this country.

THE CHAIRMAN: Your time has expired.

DELEGATE GROH: Thank you. I plead then for the support of the language of the Committee, the First Amendment language.

THE CHAIRMAN: Are you ready for the question?

*(Call for the question.)*

The question arises on the adoption of Amendment No.—

DELEGATE BENNETT: I wish to withdraw the amendment.

THE CHAIRMAN: Very well. The amendment is withdrawn.

Are there any further amendments to section 2?

*(There was no response.)*

The Chair hears none.

There are some amendments to section 3. There is also a minority report with respect

to section 3, a minority report by Delegate Mitchell.

The Chair recognizes Delegate Mitchell to present the minority report.

DELEGATE MITCHELL: Mr. President.

THE CHAIRMAN: Delegate Mitchell.

DELEGATE MITCHELL: Mr. President and fellow delegates, this minority report is submitted by Delegates Bennett, Bothe, Burgess, Hardwicke, Taylor and Willoner.

We have agreed to the amendment of the minority report language which we originally suggested in R&P-1(D), which was identical to the Commission draft.

The Commission draft reads "No person shall be deprived of life, liberty or property without due process of law or be denied the equal protection of the laws or be subject to discrimination by law or other governmental action because of race, color, religion or national origin."

The Commission draft then proposed to add an anti-discrimination clause to the 14th Amendment language because we found upon questioning some of the Commission members that there is some confusion as to what governmental action means. We felt that it would be wisest to substitute for the words on line 14 or rather the words "by law or other governmental action", "by the state", the words "by the state", because that language carries with it a long line of decisions interpreting what is state action, and we felt for our purposes in Maryland, and the purposes of the courts and the General Assembly which interprets and implements the Constitutional provisions, that this would be wisest.

Mr. President, that is Amendment P, and I would like to have it distributed at this time so that the delegates might look at it as we discuss it.

THE CHAIRMAN: Will the pages distribute amendment P?

DELEGATE MITCHELL: It is in lieu of D.

THE CHAIRMAN: You are not going to offer amendment D?

DELEGATE MITCHELL: No.

THE CHAIRMAN: You may proceed, Delegate Mitchell.

DELEGATE MITCHELL: The suggested language by the minority report would read "No person shall be deprived of life, liberty